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Michael Ficco

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EXAMINER

CHOWDHURY, SUMAIYA A

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/978,452	Applicant(s) FICCO, MICHAEL	
	Examiner Sumaiya A. Chowdhury	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 and 54-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52, and 54-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, see Remarks, filed 6/5/06, with respect to claims 1-54 have been fully considered and are persuasive. The finality of the previous Office Action of 4/5/06 has been withdrawn.

(a) Applicant argues "...there is no mention of any type of selection capability, much less 'via a web server'".

In response, the Examiner has reviewed the application and has rejected the claim to teach multimedia is selected via a web server (See rejection of claim 1).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, 7-8, 11, 13-15, 27-31, 33-34, 37, 39-41 and 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau (6249913) in view of Wright (6047165) and Booth (5835127).

As for claims 1 and 27, Galipeau discloses a system and method for aircraft multimedia distribution, comprising:

a multimedia server (190, 194, 196 – Fig. 9a) provided within an aircraft of an airline - col. 10, lines 46-65; and

a multimedia communications network (20 & 186 – Fig. 9a) within said aircraft coupled to said multimedia server – col. 10, lines 30-40; and

wherein said multimedia server is configured to distribute, over said aircraft multimedia communications network, multimedia in-flight to a device (226 – Fig. 12) of a passenger (col. 10, lines 46-65, lines 6-10, lines 50-53, col. 9, lines 25-30, col. 11, lines 1-3), the multimedia being selected via a web server (internet server 192 – Fig. 12) in communication with the multimedia server (The passenger selects content to view from the internet server - col. 7, lines 18-27. Referring to Fig. 9A, the web server is clearly in communication with the multimedia server.).

However, Galipeau fails to disclose wherein the multimedia is for purchasing by the passenger and that the multimedia is selected pre-flight.

In an analogous art, Wright discloses that the multimedia is selected pre-flight and uploaded to the aircraft via a server (204 – Fig. 1) for the advantage of preparing for the next flight or series of flights – col. 7, lines 6-32.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau's invention to include wherein the multimedia is for purchasing by the passenger and that the multimedia is selected pre-flight via a web server, as taught by Wright, for the advantage of preparing for the next flight or series of flights.

However, Galipeau and Wright fail to disclose that the multimedia is purchased by the passenger.

In an analogous art, Booth discloses that the passengers make immediate payments for multimedia services on an aircraft to allow use of the services – col. 5, lines 1-5.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau and Wright's invention to include that the multimedia is purchased by the passenger, as taught by Booth, for the advantage of using multimedia services on an aircraft.

As for claims 2 and 28, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said multimedia comprises one of streaming video, streaming audio, video for download, audio for download, data, sports and statistics (Video and audio programming is inclusive of streaming video, streaming audio, video for download, audio for download, and data. - col. 10, lines 8-10, lines 51-52, col. 11, lines 25-26).

As for claims 3 and 29, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said device is a laptop computer (226 – Fig. 12, col. 11, lines 55-56, col. 6, lines 65-66).

As for claims 4 and 30, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said multimedia communications network comprises is an IEEE 1394 communications network (Referring to Fig. 12, the

network between network controller (186) and network interface card (228) is an IEEE 1394 communications network - col. 10, lines 30-35)

As for claims 5 and 31, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said multimedia server (190 – Fig. 12) is configured to distribute said multimedia in-flight to said device (226 – Fig. 12) of said passenger via a network interface device (228 – Fig. 12) coupled between said device of said passenger and said multimedia communications network (To communicate with any aircraft server, the data must go through the network interface device - col. 10, lines 47-60).

As for claims 7 and 33, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said network interface device is one of proprietary and specific to said airline - col. 12, lines 26-31.

As for claims 8 and 34, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said multimedia server is configured to distribute said multimedia in-flight to said device of said passenger via software device (software program) stored on said device of said passenger (226 – Fig. 12); (Using the software program on the personal computer, the user communicates with the headend controller which comprises of the multimedia server. The user requests and receives multimedia - col. 11, line 50 - col. 12, line 30).

As for claims 11 and 37, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said multimedia server is configured to distribute simultaneously said multimedia in multiple streams to said device of said passenger – col. 9, lines 25-37, col. 10, line 64 – col. 11, line 3.

As for claims 13 and 39, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses an airline server (192– Fig. 9a) coupled to said multimedia server (190 – Fig. 9a) via a server communications network (100 BaseT) and configured to transmit, over said server communications network, said multimedia to said multimedia server (col. 10, lines 46-60, col. 12, lines 36-41).

As for claims 14 and 40, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said airline server (192 – Fig. 9a) is configured to communicate with said device (226 – Fig. 12) of said passenger via a passenger communications network (network between 192 and 226 in Fig. 12) to provide preflight functions with respect to the in-flight multimedia distribution (col. 10, lines 58-60, col. 11, line 65 – col. 12, line 25).

As for claims 15 and 41, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses wherein said passenger communications network comprises the Internet – col. 12, lines 12-20.

As for claim 54, Galipeau discloses a system for aircraft multimedia distribution, comprising:

means (aircraft) for providing a multimedia server (190, 194, 196 – Fig. 9a) within an aircraft of an airline - col. 10, lines 46-65; and

means (IEEE 1394 – Fig. 12) for coupling a multimedia communications network (20 & 186 – Fig. 9a) within said aircraft to said multimedia server – col. 10, lines 30-40; and

means (228 – Fig. 12) for distributing, via said multimedia server, over said aircraft multimedia communications network, multimedia in-flight to a device (226 – Fig. 12) of a passenger for viewing by said passenger (col. 10, lines 46-65, lines 6-10, lines 50-53, col. 9, lines 25-30, col. 11, lines 1-3) the multimedia being selected via a web server (internet server 192 – Fig. 12) in communication with the multimedia server (The passenger selects content to view from the internet server - col. 7, lines 18-27. Referring to Fig. 9A, the web server is clearly in communication with the multimedia server.).

However, Galipeau fails to disclose wherein the multimedia is for purchasing by the passenger and that the multimedia is selected pre-flight.

In an analogous art, Wright discloses that the multimedia is selected pre-flight and uploaded to the aircraft via a server (204 – Fig. 1) for the advantage of preparing for the next flight or series of flights – col. 7, lines 6-32.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau's invention to include wherein the multimedia is for purchasing by the passenger and that the multimedia is selected pre-flight via a server, as taught by Wright, for the advantage of preparing for the next flight or series of flights.

However, Galipeau and Wright fail to disclose that the multimedia is purchased by the passenger.

In an analogous art, Booth discloses that the passengers make immediate payments for multimedia services on an aircraft to allow use of the services – col. 5, lines 1-5.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau and Wright's invention to include that the multimedia is purchased by the passenger, as taught by Booth, for the advantage of using multimedia services on an aircraft.

As for claim 55, Galipeau discloses:

Accessing a multimedia server (190, 194, 196 – Fig. 9a) over a communications network (20 & 186 – Fig. 9a) within an aircraft – col. 10, lines 30-40, lines 46-65;

Displaying a menu of options corresponding to a plurality of multimedia (User is presented with a number of videos to select from – col. 9, lines 28-33);

Receiving the corresponding one of the plurality of multimedia over the communications network – col. 10, lines 46-65, lines 6-10, lines 50-53, col. 9, lines 25-30, col. 11, lines 1-3.

Selecting multimedia via a web server (internet server 192 – Fig. 12) in communication with the multimedia server (The passenger selects content to view from the internet server - col. 7, lines 18-27. Referring to Fig. 9A, the web server is clearly in communication with the multimedia server.).

However, Galipeau fails to disclose selecting, pre-flight, one of the options for purchase of a corresponding one of the plurality of multimedia via a server.

In an analogous art, Wright discloses that the multimedia is selected pre-flight and uploaded to the aircraft via a server (204 – Fig. 1) for the advantage of preparing for the next flight or series of flights – col. 7, lines 6-32.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau's invention to include wherein the multimedia is for purchasing by the passenger and that the multimedia is selected pre-flight via a, as taught by Wright, for the advantage of preparing for the next flight or series of flights.

However, Galipeau and Wright fail to disclose that the multimedia is purchased by the passenger.

In an analogous art, Booth discloses that the passengers make immediate payments for multimedia services on an aircraft to allow use of the services – col. 5, lines 1-5.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau and Wright's invention to include that the multimedia is purchased by the passenger, as taught by Booth, for the advantage of using multimedia services on an aircraft.

As for claim 56, Galipeau, Wright, and Booth disclose the claimed limitations. In particular, Galipeau discloses the web server (192 – Fig. 9A) is resident within a data network different from the communications network (20 & 186 - Fig. 9A) for the advantage of not over-complicating the data network– col. 12, lines 36-45, col. 4, lines 13-20.

4. Claims 6 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth as applied to claims 5 and 31 above, and further in view of Humpleman (5579308).

As for claims 6 and 32, Galipeau discloses wherein the network interface device (228 – Fig. 12) is plug-in (col. 12, lines 1-7), but fails to disclose wherein said multimedia is encrypted, and said network interface device is a custom device configured to decrypt said multimedia.

In an analogous art, Humpleman discloses wherein the network interface device (50 – Fig. 4) decrypts multimedia received in the program stream – col. 7, lines 60-65. As the program stream is decrypted, it is encrypted when received.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein the network interface device decrypts the encrypted multimedia stream received, as taught by Humpleman, for the advantage of only allowing the intended recipient to unscramble the stream.

5. Claims 9 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth as applied to claim 8 and 34 above, and further in view of Schwab (6353699).

As for claims 9 and 35, Galipeau fails to disclose wherein said multimedia is compressed, and said software device is a custom software device configured to decompress said multimedia.

In an analogous art, Schwab discloses wherein the custom software decompresses multimedia for the advantage of opening a file which is compressed for saving space— col. 4, lines 44-48. As the multimedia needs to be decompressed, it is compressed when received.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau's invention to include wherein the custom software decompresses multimedia, as taught by Scwab, for the advantage of opening a file which is compressed for saving space.

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6. Claims 10 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth as applied to claim 8 and 34 above, and further in view of Ahmad (5565908).

As for claims 10 and 36, Galipeau fails to disclose wherein said software device is specific to said airline.

In an analogous art, Ahmad discloses wherein the software is proprietary (specific to the airline) for the advantage of enabling the system to operate – col. 11, lines 27-30.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau's invention to include wherein the software is proprietary, as taught by Ahmad, for the advantage of enabling the system which is specific to the software to operate.

7. Claims 12 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth as applied to claim 11 and 37 above, and further in view of Rosin (6028600).

As for claims 12 and 38, Galipeau, Wright, and Booth fail to disclose wherein said multimedia server is configured to provide a menu on said device of said passenger for selection of one or more of said multiple streams of said multimedia.

In an analogous art, Rosin discloses wherein the menu of channels from which a user selects a multimedia stream from, is provided by the server (headend) – col. 5, lines 51-56, 64-67, col. 7, lines 13-25.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein the menu of channels from which a user selects a multimedia stream from, is provided by the server, as taught by Rosin, for the advantage of having everything at the headend such that less power and space is consumed at the receiver.

8. Claims 16 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth as applied to claim 14 and 40 above, and further in view of McCarten (5959596).

As for claims 16 and 42, Galipeau, Wright, and Booth fail to disclose wherein said pre-flight function comprises downloading of a software device to enable said in-flight distribution of said multimedia.

In an analogous art, McCarten discloses wherein application software (software device) is downloaded to the client for the advantage of enabling the client to access multimedia content on an aircraft – col. 4, lines 7-12, col. 1, lines 53-60.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein application software (software device) is downloaded to the client, as taught by

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McCarten, for the advantage of enabling the client to access multimedia content on an aircraft.

9. Claims 17 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, Booth, and McCarten as applied to claim 16 and 42 above, and further in view of Ahmad (5565908).

As for claims 17 and 43, Galipeau, Wright, Booth, and McCarten fail to disclose wherein said software device is one of proprietary and specific to said airline.

In an analogous art, Ahmad discloses wherein the software is proprietary for the advantage of enabling the system to operate – col. 11, lines 27-30.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, Booth, and McCarten 's invention to include wherein the software is proprietary, as taught by Ahmad, for the advantage of enabling the system which is specific to the software to operate.

10. Claims 18-21 and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, Booth, as applied to claims 13, 18, 39, and 44 above, and further in view of Volpe (2001/0032028)

As for claims 18 and 44, Galipeau, Wright, and Booth, fail to disclose wherein said airline server is configured to communicate with said device of said passenger via

a passenger communications network to provide post-flight functions with respect to the in-flight multimedia distribution.

In an analogous art, Volpe discloses wherein the server offers the capability to the user to have the file mailed - paragraph [0024].

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein the server offers the capability to the user to have the file mailed, as taught by Volpe, for the advantage of allowing the user to have a multimedia file stored on a removable storage device such that the user could use the removable storage device on a plurality of computers.

As for claims 19 and 45, Galipeau, Wright, and Booth fail to disclose wherein said post-flight functions comprise organizing said multimedia for selection by said passenger.

In an analogous art, Volpe discloses wherein a multimedia file is sent to a client (32 – Fig. 4; passenger) – paragraph [0024]

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein a multimedia file is sent to a client, as taught by Volpe, for the advantage of allowing a client to have a personal copy saved on their own device on an aircraft.

As for claims 20 and 46, Galipeau, Wright, and Booth fail to disclose wherein said airline server is configured to provide copies of said multimedia to said passenger on a CD ROM based on a selection by said passenger.

In an analogous art, Volpe discloses wherein a CD ROM on which multimedia is stored, is mailed to the client – paragraph [0024].

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein a CD ROM on which multimedia is stored, is mailed to the client, as taught by Volpe, for the advantage of allowing the user to have a multimedia file stored on a removable storage device such that the user could use the removable storage device on a plurality of computers.

As for claims 21 and 47, Galipeau, Wright, and Booth fail to disclose wherein said airline server is configured to provide copies of said multimedia to said passenger via download to said device of said passenger based on a selection by said passenger.

In an analogous art, Volpe discloses wherein a multimedia file is sent to a client (32 – Fig. 4; passenger) through the Internet or as an attachment to an email– paragraph [0024]

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein a multimedia file is sent to a client, as taught by Volpe, for the advantage of allowing a client to have a personal copy saved on their own device on an aircraft.

11. Claims 22-24 and 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth as applied to claims 1, 22, 27, and 48 above, and further in view of Neel (5838314).

As for claims 22 and 48, Galipeau, Wright, and Booth fail to disclose wherein said multimedia server is configured to store passenger-specific information relating to multimedia selection history for said passenger.

In an analogous art, Neel discloses wherein the data base (212 – Fig. 2; server) stores the video services (passenger-specific information) utilized by the user for the advantage of providing advertisements related to the video services selected by the user – col. 18, lines 31-42.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein the data base (212 – Fig. 2; server) stores the video services utilized by the user, as taught by Neel, for the advantage of providing advertisements related to the video services selected by the user.

As for claims 23 and 49, Galipeau, Wright, and Booth fail to disclose wherein said multimedia server is configured to distribute said multimedia based on said passenger-specific information.

In an analogous art, Neel discloses wherein the system distributes user-specific advertisements based on past video services selection history (passenger specific information) for the advantage of providing advertisements geared more towards the preferences of the user – col. 18, lines 30-42.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein the system distributes user-specific advertisements based on past video services selection history, as taught by Neel, for the advantage of providing advertisements geared more towards the preferences of the user.

As for claims 24 and 50, Galipeau, Wright, and Booth fail to disclose wherein said multimedia server is configured to distribute passenger-specific advertisements included in said multimedia based on said passenger-specific information.

In an analogous art, Neel discloses wherein the systems control computer (118 – Fig. 2; server) selects and transmits advertisements based on information accumulated about the video services utilized by the user for the advantage of providing advertisements geared more towards the preferences of the user - col. 18, lines 30-42.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, and Booth's invention to include wherein the systems control computer (118 – Fig. 2; server) selects and transmits advertisements based on information accumulated about the video services utilized by

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the user, as taught by Neel, for the advantage of providing advertisements geared more towards the preferences of the user.

12. Claims 25, 26, 51, and 52, are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau, Wright, and Booth in view of Neel as applied to claim 22, 24, 48, and 50 above, respectively, and further in view of Dedrick (5724521).

As for claims 25 and 51, Galipeau, Wright, Booth and Neel fail to disclose wherein said passenger-specific information is provided to said airline as a new marketable asset.

In an analogous art, Dedrick discloses wherein the user profile data based on the monitoring of consumer actions and inactions is provided to the advertiser to collect fees of displaying commercials for the advantage of displaying commercials to the user which are of user's interests – col. 3, lines 64-67, col. 5, lines 1-5, lines 20-30.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, Booth and Neel's invention to include wherein the user profile data based on the monitoring of consumer actions and inactions is provided to the advertiser to collect fees of displaying commercials, as taught by Dedrick, for the advantage of displaying commercials to the user which are of user's interests

As for claims 26 and 52, Galipeau, Wright, Booth and Neel fail to disclose wherein said advertisements are provided to said airline as part of a co-marketing agreement.

In an analogous art, Dedrick discloses wherein the advertisements are provided to a metering server (14 – Fig. 1) – col. 5, lines 9-15. As discussed above in claim 25, there is a co-marketing agreement as the user profile data is provided to the advertiser to collect fees for displaying commercials.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Galipeau, Wright, Booth and Neel's invention to include wherein the advertisements are provided to a metering server as part of a co-marketing agreement, as taught by Dedrick, for the advantage of deriving money from advertisers.

Conclusion

13. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumaiya A. Chowdhury whose telephone number is (571) 272-8567. The examiner can normally be reached on Mon-Fri, 9-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAC


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